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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

12 UNITED STATES OF AMERICA,) No. CR 11-0686 JW
13 Plaintiff,)
14 v.) STIPULATION AND ~~PROPOSED~~
15 SHARON WANG,) PROTECTIVE ORDER
16 a/k/a Suhua Wang,)
a/k/a Stephanie Sun, and)
17 HEATHER YIN,)
18 Defendants.)
19

20 Pursuant to Fed. R. Crim. P. 16(d), the United States and the defendants, through their
21 undersigned counsel, hereby stipulate and agree that the Court should issue the proposed
22 Protective Order requiring that all documents and other materials produced by the government to
23 the defense be subject to the following conditions:

24 1. Protected Material

25 The government has already produced a sizeable volume of documents in this case. Portions
26 of the discovery include confidential financial information relating to third parties. Other portions,
27 not yet turned over, include investigative reports that the government believes it is not yet required
28 to produce under Rules 16 and 26.2 of the Federal Rules of Criminal Procedure and 18 U.S.C. §

**STIPULATION RE: PROTECTIVE ORDER
ORDER THEREON**



1 3500 ("Jencks Materials").

2 To expedite discovery, and avoid any potential delay which might result from redacting
 3 confidential information from the documents prior to their production, or from the government
 4 choosing to delay the production of Jencks Material until a date closer to trial, the parties have
 5 agreed that, at present, all documents and materials produced by the government shall be deemed
 6 "Protected Material."

7 Possession of copies of the Protected Material shall be limited to the defense counsel,
 8 including any investigators, paralegals, law clerks, assistants and other persons, except for the
 9 defendants themselves, who are within the attorney-client privilege (hereinafter collectively referred
 10 to as "members of the defense team"). The defendants may review all documents produced by the
 11 government under this Order, but shall not be permitted to retain copies. Members of the defense
 12 team may use the Protected Material for any lawful purpose consistent with defending against the
 13 allegations in the Indictment, including showing copies of the Protected Material to witnesses or
 14 prospective witnesses. Members of the defense team agree, however, not to share or provide copies
 15 of the Protected Material to other persons.

16 Pursuant to Fed. R. Crim. P. 16(d)(1), the parties may, for good cause shown, seek an order
 17 modifying this Protective Order to, for example, exclude certain documents from the category of
 18 Protected Material, and nothing about this stipulation and order shall constrain the ability of the
 19 parties to seek, or the ability of the Court to grant, such relief.

20 2. Court Filings

21 The parties further agree that they will make good faith efforts to undertake all reasonable
 22 and practicable steps to prevent the public disclosure in court filings of confidential information
 23 (including, but not limited to, social security numbers, phone numbers, addresses, email addresses,
 24 driver license numbers) that is contained in the Protected Material. Such steps may include, but are
 25 not limited to, filing under seal, redacting or coding the information.

26 3. Return of Protected Material

27 Members of the defense team shall return all Protected Material provided pursuant to this
 28 Protective Order to the government within ninety (90) calendar days after any one of the following

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1 events, whichever occurs latest in time: (a) dismissal of all charges against the defendant represented
2 by those members of the defense team; (b) defendant's acquittal after trial by court or jury; (c) if
3 defendant is convicted, the expiration of the time period in which a direct appeal may be taken; (d)
4 if a direct appeal is taken, the date on which any such appeal is finally determined; and, (e)
5 expiration of time for the defendant's application for habeas corpus relief.

6 The government will maintain a copy of all Protected Material in compliance with its normal
7 document retention policies.

8 DATED: January 3, 2012

MELINDA HAAG
United States Attorney

9 /s/
10

11 DAVID R. CALLAWAY
12 Assistant United States Attorney

13 /s/
14

DATED: January 3, 2012

15 THOMAS J. NOLAN, ESQ.
16 Nolan, Barton & Armstrong
17 Counsel to Sharon Wang

18 /s/
19

DORON WEINBERG
Counsel to Heather Yin

PROTECTIVE ORDER

Pursuant to the stipulation of the parties, and good cause appearing therefor,

IT IS HEREBY ORDERED that documents produced by the government to the defense
counsel in the captioned case shall be governed by the terms of the foregoing stipulation.

DATED: January 17, 2012

23 
24 THE HONORABLE JAMES WARE
25 United States District Judge
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ORDER THEREON**